

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MITCHELL DZIK,

Plaintiff,

v.

JOHNSON, *et al.*,

Defendants.

Case No.: 2:22-cv-01982-GMN-EJY

Order

On December 2, 2022, the Court directed Plaintiff to either pay the filing fee for a civil action or file a fully complete application to proceed *in forma pauperis*. ECF No. 3. On January 11, 2023, the Court granted Plaintiff's Motion for Extension of Time (ECF No. 7) in part and provided Plaintiff until February 28, 2023 to either pay the filing fee or file a complete application to proceed *in forma pauperis*. ECF No. 8. On February 13, 2023, Plaintiff filed an application to proceed *in forma pauperis* on the wrong form while including the required financial certificate and inmate account statement. ECF No. 10. The Court finds good cause to grant Plaintiff an extension of time to submit the 3-page application on this Court's approved form.

Accordingly, IT IS HEREBY ORDERED that Plaintiff's application to proceed *in forma pauperis* (ECF No. 10) is denied without prejudice.

IT IS FURTHER ORDERED that on or about **April 10, 2023**, Plaintiff must file the 3-page application to proceed *in forma pauperis* for inmate on this Court's approved form.

IT IS FURTHER ORDERED that the Clerk of the Court must send Plaintiff the approved form application to proceed *in forma pauperis* for inmates along with the information and instructions.

IT IS FURTHER ORDERED that failure to either pay the \$402 filing fee or file a complete application to proceed *in forma pauperis* on or before **April 10, 2023**, will result in a recommendation to dismiss this action without prejudice. A dismissal without prejudice allows

1 Plaintiff to file his case with the Court, under a new case number, when he is able to comply with
2 LSR 2-1 and file a complete application to proceed *in forma pauperis* or pay the required filing
3 fee.

4 Dated this 9th day of March, 2023.

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7 ELAYNA J. YOUCHAK
8 UNITED STATES MAGISTRATE JUDGE
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